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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 vs.
18 DUSTIN M. LEWIS,
19 Defendant.

20 Case No. 2:17-cr-00391-APG-VCF

21 **STIPULATION AND ORDER TO
22 CONTINUE SENTENCING
(NINTH REQUEST)**

23 IT IS HEREBY STIPULATED AND AGREED, by and between the United States of
24 America, by and through Steven Myhre, Assistant United States Attorney and Patrick Burns, Trial
25 Attorney, Department of Justice, Tax Division, and Defendant, Dustin M. Lewis, by and through
26 his attorneys, Peter S. Christiansen and Kendelee L. Works, that the Sentencing Date for Mr.
27 Lewis, which is currently scheduled for July 18, 2023, be continued to a date and time convenient
28 for this Court but no sooner than November 15, 2023.

29 This is the ninth stipulated request for a continuance of Mr. Lewis's sentencing date and
30 is entered into for the following reasons:

31 1. Because of the COVID-19 pandemic and consistent with federal directives, Mr.
32 Lewis' sentencing was previously continued in order to allow Mr. Lewis an in-person sentencing
33 hearing with family and other supporters in attendance.

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1 2. In part due to the backlog of cases and delays in other matters resulting from the
2 COVID-19 pandemic, the parties require at least until November 15, 2023, to determine their
3 positions at sentencing and to adequately prepare for sentencing. In particular, the parties are in
4 the process of coordinating with the United States Attorney's Office regarding the disposition of
5 property related to the restitution and forfeiture in the case, which both parties believe will have
6 a significant impact on this Court's rendition of sentence.

7 3. Mr. Lewis is out of custody and does not object to this continuance.

8 4. The Government likewise agrees to the continuance.

9 5. The additional time requested herein is sought in good faith and not for purposes of
10 delay.

11 6. Additionally, denial of this request for continuance could result in a miscarriage of
12 justice.

13 7. For the above-stated reason, the ends of justice would best be served by a
14 continuance of the Sentencing date.

15 DATED: July 5, 2023.

16 CHRISTIANSEN TRIAL LAWYERS

17 UNITED STATES ATTORNEY

18 By /s/ Peter S. Christiansen
19 PETER S. CHRISTIANSEN
20 KENDELEE L. WORKS
21 Counsel for Dustin M. Lewis

22 By /s/ Patrick Burns
23 STEVEN MYHRE
24 Assistant United States Attorney
25 PATRICK BURNS
26 Trial Attorney
27 Department of Justice, Tax Division



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

No. 2:17-CR-00391-APG-VCF

V.

DUSTIN M. LEWIS,

Defendant.

ORDER

This matter coming on the parties' Stipulation and Order to Continue Sentencing, the Court having considered the premises therein, and good cause showing, the Court accepts the Stipulation of the parties and finds as follows:

1. The parties agree to the continuance requested in the Stipulation;
2. The parties state they require at least until November 15, 2023, in order to determine their positions at sentencing and to adequately prepare for sentencing. The defense requires this additional time in order to effectively represent Mr. Lewis at sentencing.

Accordingly, pursuant to the Stipulation, the Court will continue and set the date for Rule 32 sentencing hearing **no sooner than November 15, 2023**.

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1 **IT IS THEREFORE ORDERED:**

2 1. The Rule 32 sentencing hearing set for **July 18, 2023**, is **VACATED** and
3 **CONTINUED**;

4 2. The Rule 32 sentencing hearing in this matter will commence on **November**
5 **28, 2023 at 10:00 a.m.** in a Courtroom 6C.

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7 **IT IS SO ORDERED** this 6th day of July, 2023.

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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE

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